

Notice of Allowability

Application No.

09/651,406

Examiner

Tony Mahmoudi

Applicant(s)

MONBERG ET AL.

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 26-January-2005.
 2. ☒ The allowed claim(s) is/are 1-25 and 27-29, re-numbered as claims 1-28.
 3. ☒ The drawings filed on 14 October 2003 are accepted by the Examiner.
 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20050414.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES RONES
PRIMARY EXAMINER



DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17-March-2005 has been entered. In addition, the amendment filed on 26-January-2005 has been entered for the continued examination of this application.

Remarks

2. In response to the amendment filed on 26-January-2005, claims 1, 8-12, 15, 20 and 25 are amended per applicant's request
3. In view of the examiner's amendment authorized by the Attorney of Record, claim 26 is canceled, and claims 15, 20, 25 and 27 are amended (details provided below.) Therefore, claims 1-25 and 27-29 are presently pending in the application, of which, claims 1, 6, 8, 12, 15, 20, 24-25 and 29 are presented in independent form.

Examiner's Amendment

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Albert Michalik (Attorney of Record) on 14-April-2005 (see enclosed Interview Summary, paper No. 20050414, for details.)

The claims have been amended by the examiner as follows. This listing of claims will replace all prior versions, and listings of claims in the Application:

1. (previously presented) In a computer system, a method comprising:
maintaining location binding information associating a merchant with a plurality of listed regions, including at least one listed region in which the merchant provides service and in which the merchant does not include a physical location and including at least one listed region in which the merchant provides service and does include a physical location wherein the at least one listed region that does not include a physical location is in close proximity to the listed region that does include the physical location;
receiving a request for a merchant that does not service every region listed in the location binding information, the request directed to a particular region; and

Art Unit: 2165

searching the location binding information associated with the merchant to determine if the particular region matches at least one of the listed regions, and if so, returning information regarding the merchant.

2. (previously presented) The method of claim 1, wherein maintaining the location binding information comprises writing an entry into a database including information about each listed region and information about the merchant.

3. (previously presented) The method of claim 1, further comprising returning additional information regarding the merchant.

4. (original) The method of claim 3, wherein the additional information comprises text.

5. (original) The method of claim 3, wherein the additional information comprises a glyph.

6. (original) A computer-readable medium having computer-executable instructions for performing the method of claim 1.

7. (previously presented) The method of claim 1, wherein the plurality of listed regions comprises at least one ZIP code.

8. (previously presented) A computer-readable medium having stored thereon a data structure, comprising:

a first data field containing data representing information about a merchant;

a second data field associated with the first data field and containing location binding data representing a region in which the merchant provides service and in which the merchant does not include a physical location; and

a third data field associated with the first data field and containing location binding data representing a region in which the merchant provides service and in which the merchant does include a physical location;

such that a search request for a merchant that does not service every region, wherein the request seeking a merchant that services a particular region is compared to the second data field to determine from the location binding data therein whether the merchant represented in the first data field services that particular region, and if so, at least some of the information about the merchant contained in the first data field may be returned in response to the search request.

9. (previously presented) The data structure of claim 8, further comprising a fourth data field, associated with the first data field, and including additional information regarding the merchant.

Art Unit: 2165

10. (previously presented) The data structure of claim 9, wherein the fourth data field comprises text that indicates that the merchant provides service to the region but does not have a physical location in the region.

11. (previously presented) The data structure of claim 9, wherein the fourth data field comprises a glyph that indicates that the merchant provides service to the region but does not have a physical location in the region.

12. (previously presented) A computer-readable medium having stored thereon a data structure, comprising:

a first data field containing data representing information about a merchant;

a second data field associated with the first data field and containing data representing information regarding the merchant providing service to a region but not having a physical location in the region;

a third data field associated with the first data field and containing location binding data representing a region in which the merchant provides service and in which the merchant does not include a physical location; and

a fourth data field associated with the first data field and containing location binding data representing a region in which the merchant provides service and in which the merchant does include a physical location;

such that a search request for a merchant that does not service every region, wherein the request seeking a merchant that services a particular region is compared to the third data field

Art Unit: 2165

to determine from the location binding data therein whether the merchant represented in the first data field services that particular region, and if so, at least some of the information about the merchant contained in the second data field may be returned in response to the search request.

13. (previously presented) The data structure of claim 12, wherein the second data field comprises text that indicates that the merchant provides service to the region but does not have a physical location in the region.

14. (previously presented) The data structure of claim 12, wherein the second data field comprises a glyph that indicates that the merchant provides service to the region but does not have a physical location in the region.

15. (currently amended) A method in a computer system, comprising:
submitting a search query directed to businesses, the search query including a designation of a region;

receiving a business listing in response to the search query, the business listing generated via a search of location binding information that represents a region in which at least one merchant provides service and in which each merchant does not include a physical location, and being associated with a merchant that provides service to a plurality of regions that are in close proximity to the region queried, but not all regions in close proximity, and wherein the

Art Unit: 2165

queried region is region in which the merchant services but does not have a physical location in the queried region; and

receiving, along with the business listing, information regarding the fact that the merchant services the queried region but does not have a physical location in the queried region.

16. (original) The method of claim 15, further comprising displaying the information along with the business listing.

17. (original) The method of claim 15, wherein the information comprises text.

18. (original) The method of claim 15, wherein the information comprises text and a glyph.

19. (original) The method of claim 15, wherein the information comprises a glyph.

20. (currently amended) A computer system comprising:
a data store for maintaining location binding information for merchants that provide service to a region, at least one merchant having location binding information for a region in which that merchant does include a physical location and for a region in which the merchant does not include a physical location, wherein the at least one merchant does not provide service to all regions maintained in the location binding information;

Art Unit: 2165

data entry tools for entering the information in the data store; and
an application programming interface for ensuring that the information is stored with
each merchant entered by the data entry tools; and
means for searching the location binding information for merchants to locate at least one
merchant that matches at least one requested region.

21. (previously presented) The system of claim 20 wherein the application
programming interface includes rules that require each merchant in the data store to be
identified as one of a mobile, territorial, or delivery type of merchant.

22. (previously presented) The system of claim 20 wherein the application
programming interface includes rules that specify whether each merchant identified in the
data store requires an associated glyph.

23. (previously presented) The system of claim 20 wherein the application
programming interface includes rules that specify whether each merchant identified in the
data store requires an associated text.

24. (previously presented) A computer-readable medium having computer-
executable instructions for performing the method of claim 15.

Art Unit: 2165

25. (currently amended) In a computer system, a method comprising:

receiving a request for a merchant within a particular region;

maintaining location binding information that associates a merchant outside the particular region with the particular region;

searching a database containing information associated with merchants located within the region and outside the region, including searching the location binding information;

returning information regarding the merchants within the region that service the region;

and

returning information regarding merchants outside the region that service the region but not at least one other areas outside the region, the information regarding merchants outside the region indicating that the merchant provides service to the region but does not have a physical location in the region and that the merchant does not provide service to other areas outside the region.

26. (canceled)

27. (currently amended) The method of ~~claim 26~~ claim 25 wherein maintaining location binding information comprises writing an entry into a database including information about the particular region and information about the merchant.

28. (previously presented) The method of claim 25 further comprising returning a glyph associated with the information regarding each merchant outside the region.

Art Unit: 2165

29. (previously presented) A computer-readable medium having computer-executable instructions for performing the method of claim 25.

Allowance

5. Claims 1-25 and 27-29 are allowed over the prior art made of record.

6. The following is an examiner's statement of reasons for allowance:

The applicant's amendment After Final, filed on 26-January-2005, and the examiner's amendment, authorized by the attorney of record on 14-April-2005, overcome the cited prior art with respect to the independent claims:

The prior art of record, Dunworth et al (U.S. patent No. 5,930,474), Getchius et al (U.S. Patent No. 6,408,294), and Burton et al (U.S. Publication No. 20020055878A1), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claims):

maintaining location binding information associating a merchant with a plurality of listed regions, including at least one listed region in which the merchant provides service and in which the merchant does not include a physical location and including at least one listed region in which the merchant provides service and does include a physical location

Art Unit: 2165

wherein the at least one listed region that does not include a physical location is in close proximity to the listed region that does include the physical location;

receiving a request for a merchant that does not service every region listed in the location binding information, the request directed to a particular region, as recited in independent claims 1 and 6.

Claims 2-5 and 7 are allowed over the prior art made of record because they are dependents from the allowed independent claim 1.

a third data field associated with the first data field and containing location binding data representing a region in which the merchant provides service and in which the merchant does include a physical location;

such that a search request for a merchant that does not service every region, wherein the request seeking a merchant that services a particular region is compared to the second data field to determine from the location binding data therein whether the merchant represented in the first data field services that particular region, and if so, at least some of the information about the merchant contained in the first data field may be returned in response to the search request, as claimed in independent claim 8.

Claims 9-11 are allowed over the prior art made of record because they are dependents from the allowed independent claim 8.

a fourth data field associated with the first data field and containing location binding data representing a region in which the merchant provides service and in which the merchant does include a physical location;

such that a search request for a merchant that does not service every region, wherein the request seeking a merchant that services a particular region is compared to the third data field to determine from the location binding data therein whether the merchant represented in the first data field services that particular region, and if so, at least some of the information about the merchant contained in the second data field may be returned in response to the search request, as recited in independent claim 12.

Claims 13-14 are allowed over the prior art made of record because they are dependents from the allowed independent claim 12.

receiving a business listing in response to the search query, the business listing generated via a search of location binding information that represents a region in which at least one merchant provides service and in which each merchant does not include a physical location, and being associated with a merchant that provides service to a plurality of regions that are in close proximity to the region queried, but not all regions in close proximity, and wherein the queried region is region in which the merchant services but does not have a physical location in the queried region, as recited in independent claims 15 and 24.

Art Unit: 2165

Claims 16-19 are allowed over the prior art made of record because they are dependents from the allowed independent claim 15.

an application programming interface for ensuring that the information is stored with each merchant entered by the data entry tools; and

means for searching the location binding information for merchants to locate at least one merchant that matches at least one requested region, as recited in the independent claim 20.

Claims 21-23 are allowed over the prior art made of record because they are dependents from the allowed independent claim 20.

maintaining location binding information that associates a merchant outside the particular region with the particular region;

searching a database containing information associated with merchants located within the region and outside the region, including searching the location binding information, as recited in independent claims 25 and 29.

Claims 27-28 are allowed over the prior art made of record because they are dependents from the allowed independent claim 25.

Art Unit: 2165

Conclusion

7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (571) 272-4083.

tm

April 15, 2005


CHARLES RONES
PRIMARY EXAMINER